

1, 10, and 18, together with the claims dependent thereon, are patentably distinct from Gordon for at least the following reasons.

The aspect of the present invention set forth in Claim 1 is directed to a communication apparatus connected to a communication network. The apparatus includes input means, facsimile communication means, encryption means, electronic-mail communication means, communication designating means, and security designating means. The input means inputs transmission information without using the communication network. The facsimile communication means transmits the inputted transmission information to a destination apparatus in accordance with facsimile communication specifications. The encryption means encrypts the inputted transmission information. The electronic-mail communication means transmits the transmission information inputted by the input means or encrypted by the encryption means to a destination apparatus in accordance with electronic-mail specifications.

The communication designating means causes transmission of the transmission information by selecting either the facsimile communication means or the electronic-mail communication means. The security designating means designates whether the transmission information is confidential information. If the transmission information has been designated as being confidential information by the security designating means and the facsimile communication means has been designated by the communication designating means, the facsimile communication means transmits the transmission information to the destination apparatus by facsimile transmission through the communication network. If the transmission information has been designated as being confidential information by the security designating

means and the electronic-mail communication means has been designated by the communication designating means, the electronic-mail communication means sends the encrypted transmission information to the destination apparatus by electronic mail through the communication network.

One important feature of Claim 1 is that the communication apparatus maintains security of the transmission information, which is communicated to a destination apparatus via the communication network. More specifically, if the transmission information is designated to be confidential and is designated for transmission by the electronic-mail communication means, the transmission information is encrypted by the encryption means before being transmitted. Further, the transmission information is inputted to the communication apparatus without use of the communication network. Support for Claim 1 is set forth in the specification at, for example, pages 6, 7, and 11.

Gordon, as understood by Applicant, relates to a messaging system that unifies voice mail, facsimile mail, and e-mail. Apparently, Gordon teaches that transmission information is encrypted in a UniPost Access Node 6 (see Fig. 1). Because the UniPost Access Node 6 receives the transmission information through a public switched telephone network 10, which is a communication network, and subsequently encrypts the received transmission information, the security of the transmission information cannot be maintained until the UniPost Access Node 6 receives it. Therefore, the Gordon system cannot provide as high a level of security to transmission information as the communication apparatus of Claim 1.

Nothing has been found in Gordon that is believed to teach or suggest a communication apparatus that includes "input means for inputting transmission information

without using the communication network," and "security designating means for designating whether the transmission information is confidential information," wherein, "if the transmission information has been designated as being confidential information by said security designating means, said facsimile communication means transmits the transmission information to the destination apparatus by facsimile transmission through the communication network, when said facsimile communication means has been designated by said communication designating means, and said electronic-mail communication means sends the encrypted transmission information to the destination apparatus by electronic mail through the communication network, when said electronic-mail communication means has been designated by said communication designating means," as recited in Claim 1. The communication apparatus of Claim 1 inputs the transmission information without use of the communication network, so there are no concerns regarding security of the transmission information on the communication network when the transmission information is inputted. In contrast, the Gordon system inputs transmission information to the UniPost Access Node 6 via the public switched telephone network 10, which makes the transmission information vulnerable to a security breach during inputting.

Accordingly, Applicant submits that Claim 1 is not anticipated by Gordon, and respectfully request withdrawal of the rejection under 35 U.S.C. § 102(b). Independent Claims 10 and 18 include a feature similar to that discussed above, in which transmission information is inputted without use of a communication network, and also are believed to be patentable for at least the same reasons as discussed above.

The other claims in this application depend from one or another of the

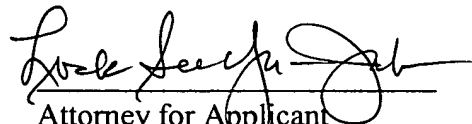
independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

No petition to extend the time for response to the Office Action is deemed necessary for the present Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 06-1205.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,


Attorney for Applicant
LOCK SEE YU-JAMES
Registration No. 38,667

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200



VERSION WITH MARKINGS TO SHOW CHANGES MADE TO CLAIMS

1. (Amended) A communication apparatus connected to a communication network, said apparatus comprising:

input means for inputting transmission information without using the communication network;

facsimile communication means for transmitting the transmission information inputted by said input means to a destination apparatus in accordance with facsimile communication specifications;

encryption means for encryption the transmission information inputted by said input means;

electronic-mail communication means for transmitting the transmission information inputted by said input means or encrypted by said encryption means to a destination apparatus in accordance with electronic-mail specifications;

communication designating means for causing transmission of the transmission information by selecting either said facsimile communication means or said electronic-mail communication means; and

security designating means for designating whether the transmission information is confidential information[;],

wherein, if the transmission information has been designated as being confidential information by said security designating means, said facsimile communication means transmits

the transmission information to the destination apparatus [as is] by facsimile transmission through the communication network, when said facsimile communication means has been designated by said communication designating means, and said electronic-mail communication means [encrypts the transmission information and then] sends [it] the encrypted transmission information to the destination apparatus by electronic mail through the communication network, when said electronic-mail communication means has been designated by said communication designating means.

4. (Amended) The apparatus according to claim 1, wherein, if the destination apparatus possesses a private security function, said facsimile communication means transmits the transmission information by confidential communication utilizing [this] the private security function, when the transmission information has been designated as being confidential information by said security designating means.

5. (Amended) The apparatus according to claim 1, wherein, when the transmission information has been designated as being confidential information by said security designating means, said facsimile communication means checks to determine whether the destination apparatus possesses a private security function by inquiring as to whether the destination apparatus possesses the private security function, when a communication path to the destination apparatus is formed.

8. (Amended) The apparatus according to claim 1, wherein said security designating means makes a determination that the transmission information is confidential information when [the fact that] transmission [is] by confidential communication is designated.

9. (Amended) The apparatus according to claim 1, wherein said input means comprises a document reader and the transmission information is [document information that has been obtained] inputted by reading a document using the document reader.

10. (Amended) A communication method in a communication apparatus [capable of] connected to a communication network, said method selectively executing facsimile communication for transmitting transmission information to a destination apparatus in accordance with facsimile communication specifications and electronic-mail communication for transmitting transmission information to a destination apparatus in accordance with electronic-mail specifications, and said method comprising the following steps, in a case where the transmission information is transmitted to a destination apparatus as confidential information:

inputting the transmission information without using the communication network;

transmitting the transmission information inputted in said inputting step to the destination apparatus as is by facsimile transmission through the communication network, when communication is performed in accordance with facsimile communication; and

encrypting the transmission information inputted in said inputting step and then sending it to the destination apparatus by electronic mail through the communication network,

when communication is performed in accordance with electronic-mail communication.

13. (Amended) The method according to claim 10, wherein, if the destination apparatus possesses a private security function in a case where facsimile communication is performed, the transmission information is transmitted to a mailbox that utilizes [this] the private security function, when the transmission information is transmitted as confidential information.

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